

Celorid.

WHEN IN DOUBT

SITUATION ADVTS., 20 WORDS 10 CTS.

PRICE ONE CENT.

PRICE ONE CENT.

NEW YORK, TUESDAY, MAY 22, 1894

Bargains in City and Suburban Real Estate If Advertised in The World

IVES POOL LAW IS ALL RIGHT.

Declared Constitutional by the General Term of the Supreme Court.

. SETBACK FOR MR. DE LACY.

Hummel, However, Says the Case Now Before Justice Gaynor Will Be Pressed.

OF APPEALS NEXT.

The Whole Question Will Have to Go to That Tribunal for Final Settlement.

The decision of the General Term of .the Supreme Court yesterday in the Reilly-Gray case that the Ives Pool law is constitutional will be received with delight by racing men. The opinion is written by Judge Merwin, the Court

sitting at Utica. The case was that of Thomas D. Reilly, respondent, against Milton C. Gray, appellant. Reilly bought \$600 of pools at the Saratoga race track, and when he lost, demanded his back. This was refused and an action was brought before Judge Mc-Lennan to recover, on the ground that the law under which the pools were sold

A demurrer was interposed, but Judge McLennan held that Reilly was entitled to recover on the grounds set forth. The e was appealed to the General Term. The decision of Judge Merwin is exhaustive and quotes many authorities. He defines bets and lotteries, goes over

He defines bets and lotteries, goes over the legal history and then says:

"It seems to me very clear that it was not the intent of the framers of the Cattution, either of 1846 or 1821, in the of the word lottery to include in it are subject of betting, as then profinted by statute. They were distinct subjects upon the statute book and in the public mind, and if the design had been to cover both they would have been named. It is not enough to say that both involved to some extent the same kind of evil. It may be difficult to precisely define the difference between the two. It may be said as in People vs. Eillott (74 Michigan, 294, 268), that in betting there is an opportunity for the exercise of reason and judgment, while in a lottery there is no such opportunity. betting there is an opportunity for the exercise of reason and judgment, while in a lottery there is no such opportunity. "It may be said that betting is not a distribution of property, but an agreement to pay the winner certain sums in a certain contingency, or that the winner shall have certain sums which are deposited as stakes. But be the distinction what it may, it is very clear from the state of the statutory laws in 1846 as well as in 1821, that betting upon a horse race was not then understood to be a lottery.

"That being so, we must assume that it was not meant to be included in the term lottery, as used in the Constitution. The same rule must apply to the pool-selling complained of, as it must be classed with betting, and is a development, a combination in the same line. It follows, therefore, that the constitutional prohibition against lotteries does not apply."

Lawyer Abe Hummel, who is De Lacy's counsel in the cases against the race tracks, says he is not much disturbed by the decision of the General Term.

"As I understand it," he said to an

Ferm.
"As I understand it." he said to an

"As I understand it." he said to an "Evening World" reporter this morning. 'Justice Merwin, in his opinion, did not touch upon the constitutionality of the Ives Pool law. I have a letter from Mr. Miles, who is counsel for the plaintiff in the case on which the decision was rendered, in which he says that decision was reversed because of some informality in the complaint. It was some trifling thing, I believe, in which the plaintiff stated that he lost his money at races without specifying what kind of races, or something similar.

We have sent up for a copy of the state definitely what course

"In any event the case before Justice Gaynor will be pressed, and if he should respect the decision of the upper district courts, then the matter will at once be taken before the Court of Appeals.

"It is better, anyhow, to have the Court of Appeals render a final decision in the matter, for the question has been knocked about in the lower courts too long."

long."
One feature of the case decided by the General Term of the Supreme Court that has perhaps been lost sight of, is that the Relily-Gray suit is a "fake" one. Relily and Gray are said to be partners in lobbying at Albany, and the story among legislators is that the racing associations have been "shaken down" regularly by a certain Albany clique.

clique.

The racing associations failed to toe the mark at the expected time one year, and soon after the Reilly-Gray suit made its appearance. Bookmakers and racing men know that neither Reilly nor Gray was a poolseller or a bookmaker at Sar-

not be seen.

District-Attorney Ridgway said that

EXPOSED TO CONTAGION.

mail-Pox Suspect Found in Room Crowded with People. Four persons suffering from small-pox this morning. The victims are: Sara Dale, twenty-eight years old, of 509 West Twenty-sixth street; Andrew Hall, twenty-two years o.d. of 44 Oliver street; James Pawloosi, eighteen years old, of 2195 First avenue, and Joseph Byrnes, live years old, of 51 Madison street. A man who aves in the house at 509 West Twenty-sixth street was removed to the Reception Hospital, at the foot of East Sixteenth street, yesterday. He walked into the Bureau of Contagious Diseases, 309 Mulberry street, at 11 o'clock yesterday morning. The place at the time was crowded with men, women and children from east-side districts, who were waiting to be vaccinated.

When it was found that the man showed symptoms of small-pox the doors were locked. All the inmates except physicians and attendants were vaccinated and the house fumigated. Dale, twenty-eight years old, of 509 West

WAITE TALKS OF BULLETS.

And His Adjutant-General Chimes in with a Word on Blood.

PUEBLO, Col., May 22 .- Gov. Waite n an address here last night, classed Congressman Bland, whom he claims sold out silver in 1878, with Voorhees and Carlisle in their surrender to the foes of silver. He advocated colning Mexican dollars to be used as legal tender in Colorado.

He expressed the hope that the ballot would soon overthrow the domination of Wall street, but if the ballot were not successful the man who would not bare his breast to bullets was not a man.

Adjt.-Gen. Tarsney made a few remarks, and said that unless something was done the blood spilled when Coxey's men were clubbed in Washington would be the first in a new revolution. Congressman Bland, whom he claims

HENRY TO BE CREMATED.

Before the Blade Fell.

PARIS May 22 .- A post-mortem ex-Henry, the Anarchist, who was executed was so violently affected by the sudden his doom that, according to the physi of the guillotine before ne was actually

The Siecle says that the police au-thorities have ordered the body of Henry to be cremated in order to pre which have taken place about the grave

EIGHT CAUGHT IN A RAID.

ing a Disorderly House. Detectives Callahan, Townsend and Hall, of the Oak street station, last night raided the house at 275 Water

General Assembly Won't Try to Reform the National Councils.

(By Associated Press.)

SARATOGA, N. Y., May 22—At the opening of the Pressylerian General Assembly this morning the Committee on Bills and Overtures presented a partial report. An overture had been received from the Presbytery of New Albany asking the General Assembly to memorialize Congress to enact such regulations with reference to the personal life of their members, as would prevent the presence in the National councils of memorial and dissolute habits.

The recommendation that no action be taken upon the subject was adopted by

____ LEADER GUNNER RESIGNS.

His Election Contested, and He Re tires for Harmony's Sake.

As a result of the quarrel over the County Committee of the Bliss-Patter-son faction in the Twenty-second Dis-trict, John H. Gunner has resigned as the leader of the Committee of Thirty forces.

Gunner's election was contested. The County Committee decided the contest in his favor, but his opponents contin-ued to charge unfairness in the method of his election.

of his election.

Mr. Gunner says he retired in the interest of harmony. Benno Loewy may
succeed him as leader.

FUNERAL OF MRS. HAGGIN.

Relatives of Her Millionaire Husband Attend the Services. The funeral of Mrs. Haggin, wife of J. B. Haggin, the California millionaire and turfman, took place this morning

and turfman, took place this morning from St. George's Church, Stuyvesant Square. Rev. Dr. W. S. Rainsford, assisted by the Rev. John N. Lewis, conducted the exercises. There were no pall-bearers.

There were few present besides the members of the family, among whom were M. J. B. Haggin, Mr. and Mrs. R. R. Lounsberry, Mrs. Ben All Haggin and Mr. Lloyd Feris. The interment was in Woodlawn Cemetery.

WOMAN WORKED THE FIND Placer Gold Discovered in Paul's

Detective Discovers Him on a Train Another Drowned Sai or Washed at Birmingham, Ala.

Betrothed to a Brooklyn Girl When Railroad Travel Impeded and a He Fled,

BIRMINGHAM Als. May 22 - James H. Parke, son of Henry C. Parke, who disappeared suddenly from New York some weeks ago, was found yesterday by Detective Lombard, of Detroit. Parke was riding on a blind baggage him off. His appearance is rough, denoting hard treatment.

young man, and held a responsible posttion in the New York office of Parke. Davis & Co., manufacturing chemists,

Parke disappeared on April 18. Three

days later his engagement to a Miss announced in the society columns of a Brooklyn paper. Miss Janton was as much mystified as every one else concerning Parke's disappearance.

The young man was most correct in his habits, neither drank nor smoked, and enjoyed the best of health. Mr. Parke had been connec'ed, with the drug firm for two years n New York and had lived in Brooklyn since May, 1893.

He was in the shipping department, and was slated for manager of a branch house in this city. Several times it was raported that Parke had been found by detectives, but in each instance the wrong man had been captured.

It was said at the time of his disappearance that he had a wife in Rhode Island, and it was because of his entanglement with Miss Janton that he field. This was denied by his friends, however.

John Clay, manager for Parke, Davis this continued was presented was news to him.

"We have given up looking for him." days later his engagement to a Miss

Parke had been located was level.

All the parket had been located was level.

"We have given up looking for him lately. We have had so many wild goose chases that we decided to allow things to take their own course," said Mr. Clay. "I am sure that, in case the report is true, Mr. Parke, the young man's father, who is now in Detroit, will let us know, but up to the present we have heard nothing from the missing boy."

M'CARTHY BROKE A PLEDGE.

Agreed Not to Kiss Matthilds, but Tried To, and Was Stabbed. street, and John Devoe, sixty-six years old, the alleged proprietor, and four women and three men were arrested. Devoe was held in \$500 ball in the Tombs Court this morning on the charge of keeping a disorderly house and in \$100 bail for, it is alleged, selling ilquor without a license.

The women were sent to the island for one month each and also fined \$3.

Devoe, who was formerly a butcher in Jefferson Market, is said to have been very wealthy a few years ago.

Tried To, and Was Stabbed.

John E. McCarthy, of 85 Madison street, appeared in the Essex Market Police Court this morning with his head and face swathed in bandages. His cheek and scalp had been laid open in four places last night by Henry Stetkenee, a harness-maker, of 104 Rivington a.reet.

Matthida Berg lives in the same house. McCarthy, of 85 Madison street, appeared in the Essex Market Police Court this morning with his head and face swathed in bandages. His cheek and scalp had been laid open in four places last night by Henry Stetkenee, a harness-maker, of 104 Rivington s.reet.

Matthida Berg lives in the same house and found Stetkenee there. They started in to sit seed other out

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McCarthy called to see her last night

McCarthy a Sterkense there. They McCarthy called to see her last night and found Stetkenee there. They started in to sit each other out.

Beer was suggested, and Stetkenee said he would go out with the can if McCarthy wouldn't kiss Matthilda while he was gone.

McCarthy called to see her last night and cased raining, and the danger may now be regarded as past. The Western Union Telegraph operators got back into their office this morning, and communication with the outside world has been resumed.

At Renovo, Lockhaven, Bellefonte, Out.

Clearfield and Driftwood the water has

WELLMAN ALL RIGHT AGAIN.

Appears in Court in a Street Railway Damage Case.

Assistant District-Attorney Francis L. Wellman has quite recovered from his experience with colchicum and emetics, election of delegates to the Republican and he is engaged to-day in a trial before Judge Fitzsimons in the City Court. The case is that of Robert Morehead against the Houston and West Street and Pavonia Ferry Railway Company, otherwise the "Broadway syndi-cate," and Mr. Wellman is counsel for

cate," and Mr. Wellman is counsel for the Company.

Mr. Morehead claims that he was riding in his carriage when one of the Company's horse-cars ran him down, smashing him. He asks \$1,100 for the carriage and \$2,000 for the injuries he sustained.

Mr. Wellman said about his experience:
"It was colchicum, not chloral, that I overdosed myself with. It seems very funny, but it operated on me like the croton oil taken by Dr. Brandt. It was very dangerous, but after I got rid of it I slept for thirty-six hours. I am a little weak and sore across my chest from retching, but otherwise I am all right."

NEGRO FIEND LYNCHED.

Then Shot Her Father.

(By Associated Press.)
ARLINGTON, Ga., May 22.-A four en-year-old Firl amed Smith, who at tends a Sunday-school four miles from her home, in Colquitt, was attacked last Sunday by a negro. After a desperate Valley, Okla.

(By Associated Press.)

GUTHERIE, O. T., May 21.—There is considerable excitement in Paul's Valley over the discovery of placer gold in paying quantities. A woman who formerly lived in the placer region, in California, has known of the existence of this metal for a long time, but has kept the matter quiet and worked the find, having washed out several hundreds of dollars worth before the secret leaked out.

Companies are being organised to destruggle her assailant drew a knife and

YOUNG PARKE FOUND. STORM YET WITH US.

Mysteriously Disappeared from And Forecaster Dunn Promises This City on April 18. Little Immediate Relief.

Ashore on the Jersey Coast.

Wreck Caused by a Washout,

The severe storm which has been raging since Sunday still continues morning, and while the wind had deno indications of clearing weather. The wind continued from the eastward, and car and the trainmen were about to put | along the coast the sea still ran high. anchored off Long Branch yesterday renained in the same position. She did not appear to be in any danger, and this morning from Sandy Hook says that the life-saving people reported the coast clear, and with the exception of this schooner, nothing was in sight.
At Quarantine this morning the water

weather continued very thick, however, and the only fresh arrivals were the British steamship Sorrento, from Antwerp; the German tank steamer Mannhelm, from Hamburg, and the new Norweglan steamship Colombia, from Bocas del Toro.

The Red Star steamship Rhynland, from Antwerp, is due to-day.

The Western Union Telegraph Company still reports great trouble with the wires on account of the storm. There is much improvement in the wires to-day as compared with yesterday, however, especially in the South. In New Jersey, all along the coast south of Long Branch, points are reached with difficulty and only after long delays.

Communication is very bad throughout Pennsylvania, and Wilkesbarre, Lock Haven and the flooded regions are only reached now by one wire. The northern central part of the State is also in bad shape.

Local Forec, ist Official Dunn was unable to offer consolation of any kind.

"It will not rain steadily all day long," he said, "nor will it rain continuously all day to-morrow, but we will get the next thing to it. It will rain many times during the day, to-night and to-morrow—the kind of showers which keep one on the tiptoe of expectancy, looking for the sunshine, and just when the rain seems to let up for good it will come down again.

"It is the most uncertain kind of weather," added Mr. Dunn, "and the

the rain seems to let up for good it will come down again.
"It is the most uncertain kind of weather," added Mr. Dunn. "and the same unsettled condition exists all over the Central and Middle States. The high winds, however, are about over. The highest velocity during the night was twenty-five miles an hour. Now, it is fairly calm and will probably continue so."

THE FLOODS RECEDING.

Except on the Schuylkill, Where Gains Are Still Reported.

PHILADELPHIA, May 22.—Reports from Williamsport and the territory orth of there this morning indicate that the water is faling as rapidly as it rose. It has ceased raining, and the

receded, and the work of clearing away

Clearfield and Driftwood the water has receded, and the work of clearing away the debris has begun.

JOHN\$TOWN, Pa., May 22.—A statement of losses caused by the flood, given out to-day, is as follows: Pennsylvania Railroad, \$5,000; Woodvale property, \$5,000; pottery of H. Swank & Son, \$3,000; Cambria Iron Company, \$10,000; business men and property owners in Johnstown, \$16,000; the city, \$10,000; McConaughey estate, \$5,000; other losses, \$10,000.

PHOENIXVILLE, Pa., May 22.—The Schuykkill River at this point is eighteen feet above low water mark at 9 o'clock this morning, and is still rising. The entire plant of the Phoenix Iron Company is submerged to a depth of from three to eight feet, and all operations have ceased. The hanks of the Schuylkill Canal are broken badly in a dozen places, and almost one hundred families have been compelled to move out of their homes. The borough water works are submerged, so that no water can be pumped into the reservoir, which is fast running dry.

PITTSBURG. May 22.—The rivers reached a stage of 25 1-2 feet in this city, and are now failing. Beyond the flooding of the lowlands and the stoppage for a day of some factories along the flooding of the lowlands and the stoppage for a day of some factories along the shanks of the streams no serious damage was done by the high water. The weather is clear to-day, and the worst is thought to be over. The rivers are reported falling at the headwaters.

GENEFEO, N. Y., May 22.—The flood in the Genesco River at this point has receded about a foot in the last twelve hours, and all danger is past. The weather is clearing and cool.

Railroad Service Crippled. ATLANTIC CITY, N. J., May 22.-The storm entinued this morning, but with less force that

Camden Streets Flooded. CAMDEN. N. J., May 22.—The heavy rain and high tide of the past twenty-four hours has caused much damage along the water front in this city much camage along the wave from in this city. Cellars are flooded on Market and Federal streets and Kaighton avenue. The press-rooms of the Courier and Post are flooded and this seriously interfered with the issue of the papers. Many chickens have been drowned by floods in the suburban districts.

Tug Damaged at Cape May. CAPE MAY, N. J., May 22.—An unknown steam tog is in the offing apparently damaged by the storm. The Volunteer life boat crew has

BAYONNE, N. J., May 22.-The bodies of the

THE FIRST HAUL OF THE LEXOW NET.



And What a Big Fish It Is that They Have Landed.

ANOTHER DROWNED SAILOR Washed Ashore at Highland Beach

ously injured.

The bridge over Pensauken Creek, at Palmyra, is badly damaged and unsafe to cross.

on sidewalks until he has obtained an opinion from Corporation Counsel Clark as to the power of the Board in the matter. About twenty of the permits were of its orders.

ter. About twenty of the permits were recalled.

Chairman Oakley, of the Law Committee, announced that a public hearing would be given on the proposed ordinance to exclude trucks from Fifth avenue during certain hours between the months of October and June, May 31, at 1 o'clock, in the Council Chamber.

A resolution was passed asking the Corporation Counsel's advice as to whether the Board could compel the Boulevard line to run through cars and Boulevard line to run through cars and away with the relay station a Eighty-sixth sirect. Patrons of the lindemand improved traffic.

NYACK, N. Y., May 22.-Incendiarie

early this morning burned three barns owned by brickmakers near Grassy Point. Several horses and other prop The loss, amounting to \$10,000, is di-vided among the following firms: Mc-Govern & McGowan, McGuire & Free-man and Hurley & Brophy.

85,000 for the Loss of a Husband. (By Associated Press.)

"L" TRAIN KILLED HIM DIRECTORS' BAD MEMORIES. wo Remember Little About North-

ern Pacific Affairs.

The Northern Pacific Railroad inquiry

vas resumed before Master in Chancery

Alfred L. Carey this morning. James B.

junction Against City Officials.

Justice Lawrence, of the Supreme

Court, has handed down a decision de-

nying the motion of counsel for John D. Daily to make permanent the tempora-

ry injunction issued by Judge Beach, restraining Mayor Gilroy and Street

MARRIED, THEN LEFT HOME.

\$500 Permanent Alimony.

Judge Daly, of the Court of Common Pleas, to-day granted Elizabeth Yule \$500 a year permanent alimony in an

action for a separation from William

Yule is a teller in the Lincoln National

Bank. The suit against him is on the

STEDEKER IN TORONTO.

The Welcher Says He Expects to

Return to the Turf Soon.

man.

He expects to be able shortly to return to the turf. He is accompanied by Mrs. Stedeker.

ground of abandonment.
The couple were marr

Guard McGurk Horribly Mangled on the Second Avenue Line.

Slipped Under the Wheels After

Washed Ashore at Highland Beach,
N. J., This Morains.

SEABRIGHT, N. J., May 22.—The body of another drowned sailor was washed ashore at Highland Beach this morning. Coroner Fisher, of Atlantic Highlands, has been notified to take charge of the body.

The New Jersey Southern tracks between Normandle and Atlantic Highlands and Atlantic Highlands and Atlantic Highlands and Atlantic Highlands and There have been no trains north of Seabright since yesterday. The lawns in front of the handsome Summer cotages have been damaged by the sal and wreckage.

The trace-masted schooner which has been anchored off this place since yesterday. The Shown any signal of distress.

WRECKED BY A WASHOUT.

WRECKED BY A WASHOUT.

BORDENTOWN, N. J. May 22.—Extra coal train No. 122 was wrecked at West Pennsylvania Train Demollahed, and the Engineer Injured.

BORDENTOWN, N. J. May 22.—Extra coal train No. 122 was wrecked at West Pennsylvania Railroad, carly this morning, to the Pennsylvania Railroad, carly this morning hours.

After making several trips, the train brown to the Pennsylvania Railroad, carly this morning hours.

After making several trips, the train conductors to side-track it. Switchman Fed Peterson was put in charge in the conductors to side-track it. Switchman Fed Peterson was put in charge.

man Fred Peterson was put in charge ing by a washout.

The engine and a number of cars were demolished.

Engineer Fine, of Camden, was seri
Williams started to push back the train to One Hundred and Second street,

Palmyra, is badly damaged and unsafe to cross.

DAM WASHED AWAY.

Residents Near Phillipsburg Flee from Their Homes.

PHILLIPSBURG, N. J., May 22—There is much excitement along the Leigh River over the extraordinary rising of the river. This morning the Lehigh Canal dam was washed away. Two cattle pens, one small house and other wreckage were swept down the river.

Where it was to be sidetracked. The train moved onto the middle track, and McGurk was on the last car, the train backing down. By the time it reached One Hundred and Fifth street it had attained a high rate of speed. In the middle of the block McGurk got on the outside, preparatory to jumping off.

It is one of the Company's orders to its men never to get on or off a train while in motion, Train Despatcher Hurlburg and this morning. Heedless of this order McGurk jumped before the train had stopped.

As soon as he struck the wet and where it was to be sidetracked.

Canal dam was washed away. Two cattle pens, one small house and other wreckage were swept down the river this morning. The Delaware River is also rising in an alarming manner, and residents along the river are moving from their houses. Thus far no loss of life has been reported.

HEARING MAY 31.

Aldermen Will Listen to Fifth Avenue Parkway Arguments.

Mayor Gilroy satisfied the Aldermen at their meeting to-day that he would not sign any permits for zoda-water stands on sidewalks until he has obtained an long to await the arrival of a Corporation. The said this morning. Heedless of this deduration and the stopped.

As soon as he struck the wet and slippery planks between the middle and uptown tracks his feet slipped from under him, and his head and upper part of his body fell on the rail of the middle track.

The wheels passed over him, cutting off his left arm and mangling his head and body aimost beyond recognition. Conductor Schwer saw McGurk's body amost beyond recognition. Conductor Schwer saw McGurk's body before the train could be brought to a standstill. McGurk's body was placed on the engine and taken to the One Hundred and Twenty-seventh street station, to await the arrival of a Corporation.

One Killed and One Fatally Wound ed at Dallas, Cal. (By Associated Press)

H. NFORD, Cal., May 22.-A battle ocurred during the progress of a Reublican primary in the Dallas schoolhouse, about eighteen miles south o here, which resulted in James McCaffrey being instantly killed by William FIREBUGS AT GRASSY POINT.

Ryan, and James O. Ryan, father of William Ryan, being mortally wounded.

They Burn Three Barns--Several Horses Cremated.

(By Associated Press.)

Pan-American Bi-Metalliata.

(By Associated Press.) WASHINGTON, May 22 -Less than fifty person vere present at the Grand Army Hall to-day when A. C. Piske, of Deaver, President of the Pan-American Bi-Metallic League, called the third Convention of that hody to order Gen Sirphen M. Field, of Virginia, Populist candidate for Vice-President in the last National campaign, was was chosen as Chairman.

The steamship Lahn, which sailed for Europ Judge Cullen, presiding, a jury last night gave
Mrs. Josephine Von Atzinger a verdict of \$5,000
against the New York Central Railroad Company
for the loss of her husband, who was killed by a
train on the West Shore road at a crossing south
Manous & Ca. will ship \$500.000 gold to-morrow
train on the West Shore road at a crossing south
Marerstraw Tunnel last August

WAS GRANGER

McClave's Ex-Son-in-Law Fails to Show Up at the Lexow Investigation.

PROMISED GOFF TO APPEAR.

Nicell Says the Witness Will Not Dare to Repeat His Lies and Insults.

COMMISSIONER AGAIN CALLED

Questioned at Length Regarding His Business, Fortune and Family Expenses.

in-law Granger, who was expected to con-

McClave to-day, was the sensational fea-

Police Investigating Committee When called he did not answer to his name, and from events transpired dur-Williams, a former Vice-President of the Northern Pacific and now Secretary to the Receiver, was again called to the witness chair and examined as to his ing the prosecution in the lurch from

> the alleged crimes which have been charged against him. When the Committee resumed into work in Part II. of the Comme Court the court-room was packed with a ing, the court-room was packed with a dreds of others besieged the doorway in

pure maliciousness, or had been fright-

the corridor. terday, and the expectation that more of the same kind would be produced today, was the attraction to the on the rack yesterday, was one of the before his counsel. De Lancey Nicell, and sorting over a bundle of papers. He expects to disprove the accusations of

his former son-in-law, young Gideon Granger, to-day. been subpoenaed as a witness. In addition to the counsel who appeared yes-terday, was William A. Sutherland, but he took no part in the early proceedings, nor did he exchange any greetings with Mr. Goff when the latter came in.

All members of the Committee took their piaces just before Il o'clock. There was a long wait, during which Mr. Goff held a whispared consultation with Chairman Lexow. The lawyer looked anxious.

restraining Mayor Gilroy and Street Cleaning Commissioner Andrews from carrying out a contract with Lewis H. Newtown for the towing of garbage to Riker's Island.

Daily formerly had a contract with the city for the towing of garbage, and as it was profitable, he is making a desperate fight to keep out Newton, who underbid him. In his papers Daily alleges that had he fully understood the specifications his bid would have been lower. Chairman Lexow. The lawyer looked anxious.

It was soon learned that Granger was not in court, and Mr. Goff made the announcement to the Committee that he had seen him at a late hour last night and that the witness was being sought for by the Sergeant-at-Arms. "Granger promised me faithfully that he would be here promptly at 9.30," said Mr. Goff, "and I can't understand his absence." specifications his bid would have been lower.

In his opinion, Justice Lawrence says that, because Daily did not clearly understand the specifications, is no reason an injunction should issue. He says it would not only be unfair to the city, but also to Newton, the lowest bidder.

Wants Granger Shut Out.

Wants Granger Shut Out.

Mr. Nicoll at once jumped up and told the Committee that he and his clients had a consultation last night, and they had agreed that Granger would never appear before the Committee again.

"I mean," said Mr. Nicoll, correcting himself, "that he would never dare to come here and repeat the lies and insults which he offered vesterday to honest and honorable gentlemen. And," he added, "he never will I am convinced." Chairman Lexow said that Granger would certainly be brought before the Committee again if the courts could compel his attendance.

Mr. Nicoll moved that Granger's testimony be stricken out, but Chairman Lexow denied this motion. He said it could be renewed if the attempt to bring Granger before the Committee again should be unsuccessful.

After the Chairman had called "Gideon Granger," and there was no response, the Committee decided to proceed with the examination of Commissioner McClave, and he was called to the witness stand.

McClave Again Called.

ground of abandonment.

The couple were married March 17 last. Yule makes no defense and admits the abandonment. He says, however, that he married his wife, perforce, as it were, and that there was an agreement that they would separate immediately after the marriage, and his leaving her was in accordance with that agreement.

In granting Mrs. Yule the decree of separation, Judge Daly gives her permission to move every five years, as her child grows up, for an increase of altmony. He was first asked about the account he formerly kept as Treasurer and trustee of the Police Pension Fund in the Bank of North America. This had been withdrawn about three years. been withdrawn about three years.

Q.-Mr. McClave, you have said that your books show that you made \$100,000 in your lumber business in 1892. Where are thest books now? A.—They were nearly all destroyed in the fire at my yards in April, 1893.

Q.—Then there is nothing to show now that you made such a profil? A.—Nothing, except my secounts in the bank.

Q.—What bank is that? A.—The Bowery Bank.

Q.—How did you unually make deposits there?

A.—Unually in checks.

Q.—Did you not sometimes deposits there large A. -Unually in checks.
Q.—Itd you not sometimes deposit there large sums in bilis? A.—I don't know what you mean by large sums.
Q.—In sums of \$1,000 or more. Don't your deposit slips show that? TORONTO, Ont., May 22.-Leon Stedeker, the bookmaker who welched immediately after the Brooklyn Handicap, is now in this city. He is staying at the Mr. McClave said there might have been such deposits, but they were out of the ordinary line of his business. He said he remembered he once got a large sum in bills from the Barnum & Balley now in this city. He is staying at the Rossin House.

He says he had too many Dr. Rice Winter tickets out at long odds. He declares he did not take in a great amount, but it does not require many winners at 50 to 1 against the books to bankrupt a

sum in bills from the barriers are circus people.

Q.—Who made these deposits for rout A.—Usually my man "Pat." or some other clark.

The largest amount ever paid by the circus people in a single year was about \$7,000 or \$8,000, as far as the witness could remember, and these amounts were always paid in bills.

Cannot Remember Everything.

The weather forecast for the thirty-six hours coding \$ P. M. to-morrow is as follows: Cloudy and showery, followed by clearing weather to-day; generally fair on Wednesday; stationary temperature; northeasterly minds, becoming variable. This was the case in 1890. Mr. Mr. Clave could not remember who mad out the deposit slips for these large (Continued on Third Page.)

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